



To the Honorable Council
City of Norfolk, Virginia

March 18, 2014

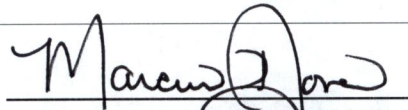
From: John M. Keifer, Director of Public Works

Subject: Ordinance permitting Hampton Roads Transportation, Inc. to encroach into the right-of-way of Chesapeake Boulevard with a pole and a footer.

Reviewed: Ronald H. Williams, Jr., Assistant City Manager

Ward/Superward: 3/7

Approved:



Marcus D. Jones, City Manager

Item Number:

R-10

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Hampton Roads Transportation, Inc.
6304 Sewells Point Road
Norfolk, Virginia 23507-5080

III. **Description**

This agenda item is an encroachment permitting Hampton Roads Transportation, Inc. to encroach into the right-of-way of Chesapeake Boulevard, three inches (3") with a pole and sixteen inches (16") with a concrete footer at 6301 Sewells Point Road.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow Hampton Roads Transportation, Inc. to keep an existing sign identifying the business location.

V. **Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Norfolk Design Review Committee and the City Planning Commission is not required.


IX. Coordination/Outreach

This letter has been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
 - Exhibit A
-

Form and Correctness Approved:

By 
Office of the City Attorney



Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING HAMPTON ROADS TRANSPORTATION, INC. TO ENCROACH INTO THE RIGHT OF WAY OF CHESAPEAKE BOULEVARD WITH A POLE AND A FOOTER.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Hampton Roads Transportation, Inc., and its successors and assigns, the owner of certain property located at 6301 Sewells Point Road, to encroach into the right of way of Chesapeake Boulevard, three inches (3") with a pole and sixteen inches (16") with a concrete footer, as shown on the drawing attached hereto, subject to and contingent upon the following conditions:

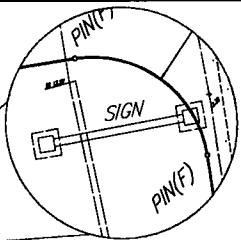
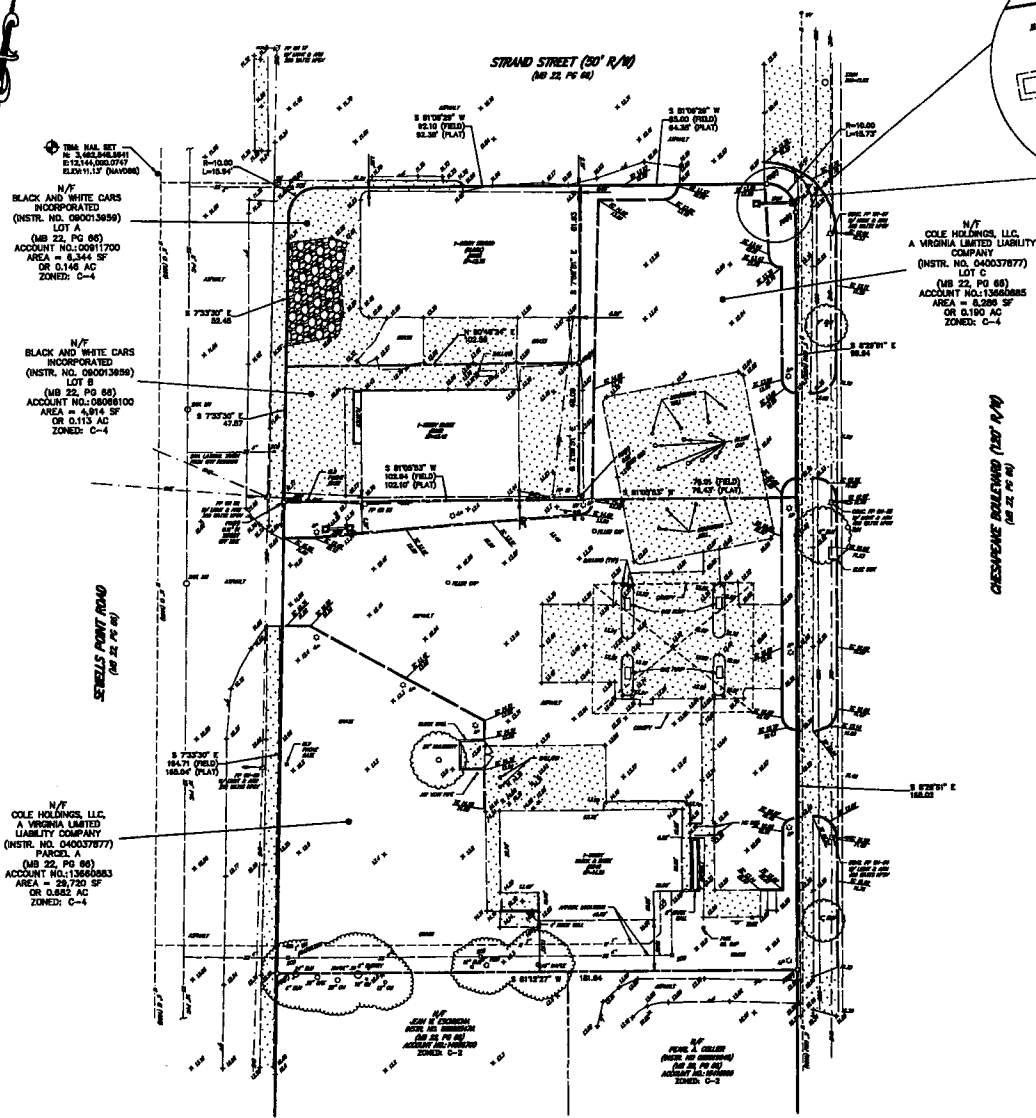
- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, Hampton Roads Transportation, Inc., and its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That Hampton Roads Transportation, Inc., or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured party in the amount of at least \$1,000,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or Hampton Roads

Transportation, Inc., or its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Risk Manager of the City of Norfolk.

Section 2:- That the failure of Hampton Roads Transportation, Inc., or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Hampton Roads Transportation, Inc., or its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.



THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF: GREGORY M. ZORRY, L.S. (LIC. NO. 2861) FROM AN ACTUAL GROUND/AIRBORNE SURVEY MADE UNDER MY SUPERVISION THAT THE IMAGERY AND/OR ORIGINAL DATA WAS OBTAINED ON OCTOBER 22, 2012, AND THAT THIS PLAN, MAP OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.

*** CAUTION ***
THE UTILITIES SHOWN ARE FOR CONVEYANCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION, DEPTH, DIMENSION AND SEPARATION OF ALL UNDERGROUND UTILITIES. MSA, P.C. ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF UTILITIES SHOWN ON THE PLANS OR LACK THEREOF. THE CONTRACTOR IS RESPONSIBLE FOR HIRING A PROFESSIONAL ENGINEER/UTILITY LOCATOR FOR WELL VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES WITHIN THE LIMITS OF THE PROJECT. THE LOCATION OF UNDERGROUND UTILITIES SHALL BE VERIFIED BY A LICENSED PROFESSIONAL ENGINEER OR OTHER PERSON QUALIFIED TO THE ATTENTION OF THE OWNER OR OWNER'S ENGINEER. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE LOCATION OF UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



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| DESIGNED | WMS |
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| DATE | 3/1/13 |

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| NO. OF SHEETS | 13 |
| SHEET NO. | 3 |
| DATE | 3/1/13 |
| BY | WMS |
| CHECKED | WMS |
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| DATE | 3/1/13 |

EXISTING CONDITIONS
OF
HAMPTON ROADS TRANSPORTATION INC.
SITE REDEVELOPMENT PLAN
VIRGINIA
NOVEMBER

SHEET
C2.0
3 of 13 Sheets
SCALE: GRAPHIC
PROJ. NO.: 12145